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In re Application of: Keeney, et al.
Application No.: 09/688,475
Filed: October 16, 2000
For: **SPOOLING SERVER APPARATUS AND METHODS FOR RECEIVING, STORING AND FORWARDING A PRINT JOB OVER A NETWORK**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 2624
Examiner: D. Tran

Sir:

Transmitted herewith is:

[X] An Amendment in the above-identified application (26 pages plus attachment);

[X] Return receipt postage prepaid postcard;

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	Small Entity		Large Entity	
				Rate	Addit. Fee	Rate	Addit. Fee
Total	96	96	0	x 9 =		x18 =	
Indep.	2	3	0	x43 =		x86 =	
	Total Additional Fee						

[X] I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450** on **April 26, 2004.**

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Very truly yours,

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Attorney Docket No.: **MGI-177**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

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Keeney, et al.   ) Examiner: D. Tran

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Serial No.: 09/688,475   ) Art Unit: 2624

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For: **SPOOLING SERVER APPARATUS AND METHODS FOR RECEIVING, STORING AND FORWARDING A PRINT JOB OVER A NETWORK**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

    This Amendment is responsive to the Office Action mailed on January 29, 2004. Please amend the above-identified U.S. patent application as follows:

IN THE CLAIMS:

Claim Summary

    Claims 1, 2, 14, 27, 34, 46, 47, 59, 72, and 79 are amended. For the Examiner's convenience, and in accordance with 37 C.F.R. § 1.121, a complete listing of the claims is set forth below with corresponding status identifiers for each claim.

Amended Claims

1. (Currently Amended) A method of receiving, storing, and forwarding a print job <u>for printing of a document</u> over a network, comprising:

 forwarding said print job to a spooling server;

 receiving said print job at said spooling server;

 storing said print job at said spooling server;

 receiving an instruction at the spooling server to initiate said print job for printing <u>the document</u> at a designated printer;

 initiating said print job for printing <u>the document</u> in response to said instruction;

 <u>separately sending a polling request for any initiated print jobs from a printer polling device associated with the designated printer to the spooling server, said polling request being automatically forwarded from the printer polling device to the spooling server;</u>

 receiving ~~a~~ <u>the</u> polling request ~~for said initiated print job~~ at said spooling server ~~from a printer polling device associated with the designated printer, said polling request being automatically forwarded from the printer polling device to the spooling server~~; and

 forwarding said requested initiated print job from the spooling server to the printer polling device in response to said polling request.

2. (Currently amended) A method in accordance with claim 1, wherein the ~~print job~~ <u>document</u> is printed at said designated printer coupled to said printer polling device.

3. (Original) A method in accordance with claim 2, wherein said printer is located at a location remote from said spooling server.

4. (Original) A method in accordance with claim 1, wherein the print job is forwarded to the spooling server without a pre-determined print destination.

5. (Original) A method in accordance with claim 1, wherein the printer polling device periodically polls the spooling server to identify print jobs associated with the printer polling device.

6. (Original) A method in accordance with claim 1, wherein the network comprises:

at least one of a local area network, a wide area network, a global network, and the Internet.

7. (Original) A method in accordance with claim 1, wherein:

said printer polling device is located within a gateway firewall; and

said spooling server is located outside said gateway firewall.

8. (Original) A method in accordance with claim 7, wherein:

the print job is forwarded to the spooling server as web-style traffic and received at the printer polling device as web-style traffic.

9. (Original) A method in accordance with claim 7, wherein:

the print job is forwarded to the spooling server such that reconfiguration of the gateway firewall is not required.

10. (Original) A method in accordance with claim 1, wherein:

a print job source is located at and in communication with a first local area network and forwards the print job to the spooling server;

the printer polling device is located at and in
communication with a second local area network; and
the spooling server is located outside of the first and
second local area networks.

11. (Original) A method in accordance with claim 10, wherein:
the print job source communicates with the spooling server
via a first gateway firewall which controls access to the first
local area network; and
the printer polling device communicates with the spooling
server via a second gateway firewall which controls access to the
second local area network.

12. (Original) A method in accordance with claim 1, wherein:
the spooling server is capable of storing multiple print
jobs in at least one spooling queue.

13. (Original) A method in accordance with claim 1, further
comprising:
providing for encryption of the print job at a print job
source; and
providing for decryption of the print job at the printer
polling device.

14. (Currently amended) A method in accordance with claim 1,
wherein the ~~print job comprises a~~ document <u>is</u> provided by a
content provider.

15. (Original) A method in accordance with claim 14, wherein said
content provider is one of a newspaper, a magazine, a periodical,
a document provider, a graphic arts provider, a notification
service, an Internet content provider, a merchant, a financial
institution, a government agency, or a shipping company.

16. (Original) A method in accordance with claim 14, wherein a single print job is provided by the content provider for multiple users.

17. (Original) A method in accordance with claim 14, wherein the print job is provided by the content provider on a subscription basis.

18. (Original) A method in accordance with claim 1, wherein a fee is charged to access the spooling server.

19. (Original) A method in accordance with claim 1, further comprising:

storing each print job at the spooling server according to a personal identification number (PIN).

20. (Original) A method in accordance with claim 19, further comprising:

communicating from said spooling server to said printer polling device a list of print jobs associated with the PIN which are stored at the spooling server; and

providing for the selection of a print job.

21. (Original) A method in accordance with claim 19, further comprising:

storing a plurality of print jobs on the spooling server according to the PIN.

22. (Original) A method in accordance with claim 19, wherein:

the PIN is provided to the spooling server via one of a user interface associated with the printer polling device, a telephone, a computer, an Internet appliance, a facsimile machine,

a scanner, a personal digital assistant device, or a dedicated
terminal;

the list of available print jobs is displayed on one of a
user interface associated with the printer polling device, a
telephone, a computer, an Internet appliance, a facsimile machine,
a scanner, a personal digital assistant device, or a dedicated
terminal; and

selection of an available print job is made via a user
interface associated with the printer polling device, a
telephone, a computer, an Internet appliance, a facsimile machine,
a scanner, a personal digital assistant device, or a dedicated
terminal.

23. (Original) A method in accordance with claim 1, further
comprising:

providing for designation of a desired print location for
the print job at a print job source;

providing for communication of the desired print location to
the spooling server; and

printing the print job at the desired print location when
the printer polling device at the desired print location polls
the spooling server and identifies the print job.

24. (Original) A method in accordance with claim 1, further
comprising:

providing for designation of a substantially specific time
for printing a print job; and

making said print job available for printing from the
spooling server only at the designated substantially specific
time.

25. (Original) A method in accordance with claim 1, further
comprising:

providing for a designated lifetime of the print job, wherein said print job will be stored only for the designated lifetime.

26. (Original) A method in accordance with claim 1, further comprising:

providing for a designated number of printings of said print job, wherein said print job can only be printed the designated number of times.

27. (Currently amended) A method in accordance with claim 26, wherein:

the ~~print job is~~ <u>document comprises</u> one of a negotiable instrument, a stamp, a coupon, a certificate, a check, a unit of currency, a token, or a receipt.

28. (Original) A method in accordance with claim 1, further comprising:

providing for the designation of one or more recipients of said print job, wherein the print job can only be printed by the designated one or more recipients.

29. (Original) A method in accordance with claim 1, wherein the printer polling device communicates printer status to the spooling server.

30. (Original) A method in accordance with claim 29, wherein the printer status comprises at least one of a printer ready indication, an on-line indication, toner level information, paper supply information, or error information.

31. (Original) A method in accordance with claim 29, further comprising:

notifying a printer operator when said printer status indicates that the printer requires attention.

32. (Original) A method in accordance with claim 31, further comprising:

providing the operator with vendor contact information to facilitate obtaining printer supplies or service.

33. (Original) A method in accordance with claim 29, further comprising:

providing for automatic on-line ordering of printer supplies as required by printer status.

34. (Currently amended) A method in accordance with claim 1, wherein the ~~print job~~ document comprises at least one of ~~a document,~~ a poster, an image, a coupon, a ticket, a certificate, a check, a list, a schedule, a periodical, a unit of currency, a negotiable instrument, postage, a bill of lading, a lottery or gaming ticket, a token, food stamps, a license, a permit, a pass, a passport, a ballot, a citation, identification, a copy-protection key, a proof-of-purchase, a warranty, a receipt, a transcript, or a library card.

35. (Original) A method in accordance with claim 1, further comprising:

providing an agent program that provides a directory of documents to the spooling server, said agent program enabling a client device associated with the print job source to poll the spooling server to determine whether the spooling server requires a document from the directory to complete a print job; and

uploading the document from the client device to the spooling server.

36. (Original) A method in accordance with claim 35, further comprising:

    communicating the directory to the printer polling device;
    presenting the directory at the printer polling device; and
    providing for selection of a print job from the directory.

37. (Original) A method in accordance with claim 36, wherein presenting the directory comprises one of a visual presentation or an audio presentation.

38. (Original) A method in accordance with claim 35, wherein the client device periodically polls the spooling server.

39. (Original) A method in accordance with claim 1, wherein communications with the spooling server are enabled via at least one of a telephone, a personal digital assistant device, a computer, an Internet appliance, a web browser, or a dedicated terminal.

40. (Original) A method in accordance with claim 1, further comprising providing a communication device for providing the status of the print job stored on the spooling server.

41. (Original) A method in accordance with claim 40, wherein the status of the print job comprises at least one of filename, file size, author, creation date, print job lifetime, image, title, contents, personal identification number, recipient, job number, or reference number.

42. (Original) A method in accordance with claim 40, wherein the communication device comprises one of a telephone, a computer, an Internet appliance, a personal digital assistant device, or a dedicated terminal.

43. (Original) A method in accordance with claim 1, wherein the print job source is one of a computer, a personal digital assistant device, an Internet appliance, a facsimile machine, a scanner, a telephone, or a dedicated terminal.

44. (Original) A method in accordance with claim 1, wherein said printer polling device is capable of polling multiple spooling servers.

45. (Original) A method in accordance with claim 1, further comprising:

    providing for the communication between said spooling server and other servers; and

    receiving a print job from at least one of the other servers at the spooling server.

46. (Currently Amended) A spooling server for receiving, storing, and forwarding a print job for printing of a document over a network, comprising:

    memory for storing said print job at said spooling server;

    a receiver for receiving said print job at said spooling server, said receiver adapted to receive: (1) an instruction to initiate said print job for printing the document at a designated printing device; and (2) a separate polling request for said any initiated print jobs at said spooling server from a printer polling device associated with the designated printer, said polling request being automatically forwarded from the printer polling device to the spooling server;

    a processor for initiating said print job in response to said instruction; and

    a transmitter for forwarding said requested initiated print job from the spooling server to the printer polling device in

response to said polling request.

47. (Currently amended) A spooling server in accordance with claim 46, wherein the ~~print job~~ <u>document</u> is printed at said designated printer coupled to said printer polling device.

48. (Original) A spooling server in accordance with claim 47, wherein said printer is located at a location remote from said spooling server.

49. (Original) A spooling server in accordance with claim 46, wherein the print job is forwarded to the spooling server without a pre-determined print destination.

50. (Original) A spooling server in accordance with claim 46, wherein the printer polling device periodically polls the spooling server to identify print jobs associated with the printer polling device.

51. (Original) A spooling server in accordance with claim 46, wherein the network comprises:

     at least one of a local area network, a wide area network, a global network, and the Internet.

52. (Original) A spooling server in accordance with claim 46, wherein:

     said printer polling device is located within a gateway firewall; and

     said spooling server is located outside said gateway firewall.

53. (Original) A spooling server in accordance with claim 52, wherein:

the print job is forwarded to the spooling server as web-style traffic and received at the printer polling device as web-style traffic.

54. (Original) A spooling server in accordance with claim 52, wherein:

the print job is forwarded to the spooling server such that reconfiguration of the gateway firewall is not required.

55. (Original) A spooling server in accordance with claim 46, wherein:

a print job source is located at and in communication with a first local area network and forwards the print job to the spooling server;

the printer polling device is located at and in communication with a second local area network; and

the spooling server is located outside of the first and second local area networks.

56. (Original) A spooling server in accordance with claim 55, wherein:

the print job source communicates with the spooling server via a first gateway firewall which controls access to the first local area network; and

the printer polling device communicates with the spooling server via a second gateway firewall which controls access to the second local area network.

57. (Original) A spooling server in accordance with claim 46, wherein the memory comprises at least one spooling queue for storing multiple print jobs.

58. (Original) A spooling server in accordance with claim 46,

wherein:

 the print job is encrypted at a print job source; and

 the print job is decrypted at the printer polling device.

59. (Currently amended) A spooling server in accordance with claim 46, wherein the ~~print job comprises a~~ document is provided by a content provider.

60. (Original) A spooling server in accordance with claim 59, wherein said content provider is one of a newspaper, a magazine, a periodical, a document provider, a graphic arts provider, a notification service, an Internet content provider, a merchant, a financial institution, a government agency, or a shipping company.

61. (Original) A spooling server in accordance with claim 59, wherein a single print job is provided by the content provider for multiple users.

62. (Original) A spooling server in accordance with claim 59, wherein the print job is provided by the content provider on a subscription basis.

63. (Original) A spooling server in accordance with claim 46, wherein a fee is charged for access the spooling server.

64. (Original) A spooling server in accordance with claim 46, wherein:

 the memory stores each print job at the spooling server according to a personal identification number (PIN).

65. (Original) A spooling server in accordance with claim 64, wherein:

said spooling server communicates to said printer polling device a list of print jobs associated with the PIN which are stored at the spooling server; and

the selection of a print job is provided for.

66. (Original) A spooling server in accordance with claim 64, wherein:

the memory is capable of storing a plurality of print jobs according to the PIN.

67. (Original) A spooling server in accordance with claim 64, wherein:

the PIN is provided to the spooling server via one of a user interface associated with the printer polling device, a telephone, a computer, an Internet appliance, a facsimile machine, a scanner, a personal digital assistant device, or a dedicated terminal;

the list of available print jobs is displayed on one of a user interface associated with the printer polling device, a telephone, a computer, an Internet appliance, a facsimile machine, a scanner, a personal digital assistant device, or a dedicated terminal; and

selection of an available print job is made via a user interface associated with the printer polling device, a telephone, a computer, an Internet appliance, a facsimile machine, a scanner, a personal digital assistant device, or a dedicated terminal.

68. (Original) A spooling server in accordance with claim 46, wherein:

a desired print location for the print job is designated at a print job source;

the desired print location is communicated to the spooling

server; and

the print job is printed at the desired print location when the printer polling device at the desired print location polls the spooling server and identifies the print job.

69. (Original) A spooling server in accordance with claim 46, wherein:

a substantially specific time for printing a print job is designated; and

said print job is made available for printing from the spooling server only at the designated substantially specific time.

70. (Original) A spooling server in accordance with claim 46, wherein:

a lifetime of the print job is designated, wherein said print job will be stored only for the designated lifetime.

71. (Original) A spooling server in accordance with claim 46, wherein:

a number of printings of said print job is designated, wherein said print job can only be printed the designated number of times.

72. (Currently amended) A spooling server in accordance with claim 71, wherein:

the ~~print job is~~ document comprises one of a negotiable instrument, a stamp, a coupon, a certificate, a check, a unit of currency, a token, or a receipt.

73. (Original) A system in accordance with claim 46, wherein:

one or more recipients of said print job are designated, wherein the print job can only be printed by the designated one

or more recipients.

74. (Original) A spooling server in accordance with claim 46,
wherein the printer polling device communicates printer status to
the spooling server.

75. (Original) A spooling server in accordance with claim 74,
wherein the printer status comprises at least one of a printer
ready indication, an on-line indication, toner level information,
paper supply information, or error information.

76. (Original) A spooling server in accordance with claim 74,
wherein:

     a printer operator is notified when said printer status
indicates that the printer requires attention.

77. (Original) A spooling server in accordance with claim 76,
wherein:

     the operator is provided with vendor contact information to
facilitate obtaining printer supplies or service.

78. (Original) A spooling server in accordance with claim 74,
wherein:

     automatic on-line ordering of printer supplies as required
by printer status is provided.

79. (Currently amended) A spooling server in accordance with
claim 46, wherein the ~~print job~~ document comprises at least one
of ~~a document,~~ a poster, an image, a coupon, a ticket, a
certificate, a check, a list, a schedule, a periodical, a unit of
currency, a negotiable instrument, postage, a bill of lading, a
lottery or gaming ticket, a token, food stamps, a license, a
permit, a pass, a passport, a ballot, a citation, identification,

a copy-protection key, a proof-of-purchase, a warranty, a receipt, a transcript, or a library card.

80. (Original) A spooling server in accordance with claim 46, wherein:

an agent program provides a directory of documents to the spooling server, said agent program enabling a client device associated with the print job source to poll the spooling server to determine whether the spooling server requires a document from the directory to complete a print job; and

the document can be uploaded from the client device to the spooling server.

81. (Original) A spooling server in accordance with claim 80, wherein:

the directory is communicated to the printer polling device;

the directory is presented at the printer polling device; and

for selection of a print job from the directory is provided for.

82. (Original) A spooling server in accordance with claim 81, wherein the directory is presented via one of a visual presentation or an audio presentation.

83. (Original) A spooling server in accordance with claim 80, wherein the client device periodically polls the spooling server.

84. (Original) A spooling server in accordance with claim 46, wherein communications with the spooling server are enabled via at least one of a telephone, a personal digital assistant device, a computer, an Internet appliance, a web browser, or a dedicated terminal.

85. (Original) A spooling server in accordance with claim 46, wherein a communication device for providing the status of the print job stored on the spooling server is provided.

86. (Original) A spooling server in accordance with claim 85, wherein the status of the print job comprises at least one of filename, file size, author, creation date, print job lifetime, image, title, contents, personal identification number, recipient, job number, or reference number.

87. (Original) A spooling server in accordance with claim 85, wherein the communication device comprises one of a telephone, a computer, an Internet appliance, a personal digital assistant device, or a dedicated terminal.

88. (Original) A spooling server in accordance with claim 46, wherein the print job source is one of a computer, a personal digital assistant device, an Internet appliance, a facsimile machine, a scanner, a telephone, or a dedicated terminal.

89. (Original) A spooling server in accordance with claim 46, wherein said printer polling device is capable of polling multiple spooling servers.

90. (Original) A spooling server in accordance with claim 46, wherein:

said spooling server is capable of communicating with other servers; and

said spooling server is capable of receiving a print job from at least one of the other servers.

91. (Previously presented) A method in accordance with claim 1, wherein said instructions are forwarded from an interface associated with a print job source together with said print job.

92. (Previously presented) A method in accordance with claim 1, wherein said instructions are forwarded from an interface remote from a print job source and remote from said printer polling device.

93. (Previously presented) A method in accordance with claim 1, wherein said instructions are forwarded from an interface associated with the printer polling device.

94. (Previously presented) A spooling server in accordance with claim 46, wherein said instructions are forwarded from an interface associated with a print job source together with said print job.

95. (Previously presented) A spooling server in accordance with claim 46, wherein said instructions are forwarded from an interface remote from a print job source and remote from said printer polling device.

96. (Previously presented) A spooling server in accordance with claim 46, wherein said instructions are forwarded from an interface associated with the printer polling device.

REMARKS

Summary

This Amendment is responsive to the final Office Action mailed on January 29, 2004. Claims 1, 2, 14, 27, 34, 46, 47, 59, 72, and 79 are amended herein. Claims 1-96 are pending.

Claims 1-4, 6, 12-34, 39-49, 51, 57-79, and 84-96 stand rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over the combination of Motegi (US 6,307,640), Savitzky (US 6,012,083) and Ikeda (JP 2000155733).

Claims 5, 35-38, 50 and 80-83 stand rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over the combination of Motegi, Savitzky, Ikeda, and Newton (US 6,334,142).

Claims 7-11 and 52-56 stand rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over the combination of Motegi, Savitzky, Ikeda, and Pearson (US 6,023,684).

Applicants respectfully traverse the foregoing rejections in view of the amended claims and the following comments.

Discussion of Amended Claims

Claims 1, 2, 14, 27, 34, 46, 47, 59, 72, and 79 are amended to clarify that the print job is a print job for printing a document.

Claims 1 and 46 are also amended to clarify that the polling request is a request for any initiated documents and is a separate request sent to the spooling server. In other words, the polling request is not part of the instruction to initiate a print job.

Discussion of Rejection in View of Motegi, Savitzky, and Ikeda

Claims 1-4, 6, 12-34, 39-49, 51, 57-79, and 84-96 stand

rejected as being unpatentable over the combination of Motegi, Savitzky, and Ikeda.

The Motegi reference was discussed in detail in Applicants' Amendment dated October 3, 2003 and in a telephone interview with the Examiner as set forth in Applicants' Response to Interview Summary dated October 13, 2003, both of which are incorporated herein and made a part hereof by reference.

The Savitzky reference was discussed in detail in Applicants' Amendment dated April 30, 2003 and Applicants' Response dated November 11, 2002, both of which are incorporated herein and made a part hereof by reference.

The Examiner has acknowledged that Motegi "does not explicitly teach a computer request for a document file from the spooling server (i.e., the host computer)" (Office Action, page 3). The Examiner relies on Savitzky as teaching "a computer (i.e., client A) in the network requests for a document file from the spooling server (i.e., the agency 32 in fig. 3) and receives the requested document from the agency" (Office Action, page 3).

The Examiner's interpretation of Savitzky is incorrect. First, the client A of Savitzky does not on its own request a web page from the server as is apparently assumed by the Examiner. Only in response to a <u>user input at the client A</u> is a request for a web page sent on to the server via agency 32 (Col. 5, lines 1-3).

Secondly, the agency 32 of Figure 3 of Savitzky <u>is not equivalent to a spooling server for receiving and storing documents</u>. Rather, the agency 32 of Savitzky <u>merely processes a request for a web page</u> from client A and sends the request on to server A on line 38. Server A returns the requested web page to agency 32 on line 40, and the web page is then provided to client A. A Hotlist agent 42 at the agency 32 stores <u>a reference</u> to the web page, but does not store the web page itself (Col. 10, lines 19-67). Therefore, <u>the agency 32 does not store or spool</u>

documents as does the spooling server claimed by Applicants. In contrast, the agency 32 of Savitzky merely acts as an intermediary between a web server and the client A. The web server of Savitzky, which is isolated from the client A by agency 32, stores the web pages.

In addition, Applicants' claims are amended herein to specify that the print job is a print job for printing a document. Savitzky is directed at printing web pages rendered in HTML format on a browser. The system of Savitzky is not applicable to printing a document, as claimed by Applicants. Those skilled in the art will appreciate the technological differences between the requirements for printing of a document from a server over a network and the requirements for printing of a web page from a server.

Further, Applicants' submit that the Examiner's combination of Savitzky (rendering of web pages) and Motegi (network printing) would not result in Applicants' claimed invention as proposed by the Examiner. As discussed in Applicants' previous Amendments and Responses as indicated above, Motegi is directed towards the printing of documents over a network based printing system as a result of user interaction at the printer. In contrast, Savitzky is directed at the use of a web agency disposed between a client and a web server for rendering of a web page (i.e. a Hypertext Markup Language (HTML) document) as requested from a web server by a user at a browser running on a client computer. Savitzky does not teach the transfer of print jobs for a document over a network.

Further, there is no motivation in either Motegi or Savitzky to combine them as suggested by the Examiner. Savitzky is directed at the use of an agency disposed between a web client and a web server for rendering of web pages on a client browser in HTML. The art of dealing with HTML web pages as disclosed in Savitzky is quite distinct from the art of network printing of

documents as described in Motegi.

The Examiner has also acknowledged that neither Motegi nor Savitzky teach a "polling request being automatically forwarded from the printer polling device to the spooling server" (Office Action, page 4). The Examiner relies on Ikeda for teaching a polling request being automatically forwarded to the spooling server.

An English language translation of the Ikeda reference is attached for the Examiner's convenience. In Ikeda, an automatic document acquiring device 14 acquires documents from a server, such as a web server 4, a document server 5, a database server 6, a workgroup server 7, or a BBS server 8, via a network 3 and prints the documents on output device 2. The document acquiring device 14 can be configured to retrieve a document using three separate triggers. The triggers include sending a request for a document at a periodic time interval, an email trigger, and user instructions requesting a document entered at document acquiring device 14 (See English language translation of Ikeda, page 15, para. 0036).

The document acquiring device 14 of Ikeda includes a database access part 143. The database access part 143 accesses document database 12 and obtains data relating to the documents to be acquired. Data extraction part 142 extracts necessary document data obtained by database access part 143 and provides this data to trigger start detector 141. The trigger start detector 141 includes this document data in the request for the document that is sent to the network interface 31 (English language translation of Ikeda, page 12, para. 0030-0031).

The document acquiring device 14 of Ikeda must first contact the database 12 and <u>obtain information regarding a document before formulating a request for that particular document using the obtained information</u>. In Ikeda, the request from the document acquiring device for printing of the document is also the

instruction that initiates the printing of the document. In other words, in Ikeda, <u>the initiating of the document for printing and the polling request for the document are part of the same communication to the server</u>. Further, the document acquiring device is not "polling" the server to check to see if there is any document available to print, since in Ikeda the document acquiring device is already aware of the document when the request to print is sent. Instead, the document acquiring device of Ikeda is polling <u>to actually print the document</u>. In contrast, Applicant's claimed polling request is sent to the spooling server to check for "any initiated print jobs" for the designated printer.

Applicants' claims 1 and 45 are amended to clarify that the polling and the initiating are <u>separate communications to the spooling server</u>. For example, with Applicants' claimed invention, the instruction to initiate printing can come from a variety of sources, and <u>is separate from the polling request</u>. For example, the instruction to initiate printing can be provided from the print job source itself, or from a separate interface to the spooling server (e.g., a web browser, a cellular telephone, a personal digital assistance, an Internet appliance, or the like).

Ikeda does not disclose or remotely suggest Applicants' claimed methods or apparatus. In particular, Ikeda does not disclose or remotely suggest receiving an instruction at the spooling server to initiate the print job for printing the document at a designated printer, initiating the print job for printing the document in response to the instruction, and <u>separately sending a polling request for any initiated print jobs from a printer polling device associated with the designated printer to the spooling server</u>, said polling request being automatically forwarded from the printer polling device to the spooling server, as claimed by Applicants.

Therefore, as the Examiner has acknowledged that Motegi and

Savitzky do not teach a polling request being automatically
forwarded from a polling device to a spooling server, the
combination of Motegi, Savitzky, and Ikeda would not have led one
skilled in the art to Applicants' claimed invention.

In addition, like Motegi discussed above, one skilled in the
art would not look to combine Savitzky and Ikeda as proposed by
the Examiner.

In view of the above, Applicants respectfully submit that
the present invention would not have been obvious to one skilled
in the art in view of the combination Motegi, Savitzky, and
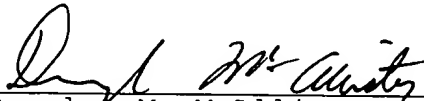Ikeda, or any of the other references of record.

Withdrawal of the rejections under and 35 U.S.C. § 103(a) is
therefore respectfully requested.

Further remarks regarding the asserted relationship between
Applicants' claims and the prior art are not deemed necessary, in
view of the amended claims and the above discussion. Applicants'
silence as to any of the Examiner's comments is not indicative of
an acquiescence to the stated grounds of rejection.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the presently pending claims, and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,

Douglas M. McAllister
Attorney for Applicant(s)
Registration No. 37,886
Law Office of Barry R. Lipsitz
755 Main Street
Monroe, CT 06468
(203) 459-0200

ATTORNEY DOCKET NO.: MGI-177
Date: April 26, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Keeney, et al.   ) Examiner: D. Tran
)
Application No.: 09/688,475   ) Art Unit: 2624
)
Filed: October 16, 2000   )
)
For: SPOOLING SERVER APPARATUS AND METHODS FOR)
        RECEIVING, STORING AND FORWARDING A PRINT)
        JOB OVER A NETWORK   )

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF LOST PAPERS

Dear Sir:

This correspondence is further to a telephone conversation on January 21, 2005 between this office and Examiner D. Tran.

As discussed, in response to the Office Action mailed on January 29, 2004, an Amendment was mailed to the U.S. Patent and Trademark Office on April 26, 2004, together with an English translation of Japanese patent no. 2000-155,733 (as discussed in the Amendment).

On August 31, 2004, Applicants' undersigned attorney's office telephoned the group receptionist to find out the status of the above-referenced application. The receptionist indicated that the last item entered in the system was the Amendment received by the U.S. Patent and Trademark Office on April 28, 2004.

It was expected that a new Office Action or Notice of Allowance would be forthcoming. When Applicants' attorney's office did not receive a further action from the Patent and Trademark Office, on September 16, 2004, they again telephoned the group receptionist to make sure an action had not been mailed that was not received by Applicants' attorney. The receptionist again indicated that the April 2004 Amendment had been received and scanned. However, she did not know the location of the file at that time.

On December 20, 2004, the group receptionist stated that nothing further was logged in to the Patent Office file to date. She stated that she did not know the reason for the delay in responding to our April 2004 Amendment, and suggested calling Examiner Tran.

On December 21, 2004, the undersigned attorney telephoned Examiner Tran. The Examiner stated that he did not have the Amendment. Applicants' undersigned attorney then mailed a Request for Status of Application on December 22, 2004.

After not receiving anything further from the Patent Office, on January 21, 2005, the undersigned attorney again telephoned Examiner Tran, who stated that he did not have the April 2004 Amendment. Examiner Tran instructed the undersigned attorney to resubmit the Amendment with proof of filing.

In accordance with the Examiner's instructions, Applicants are herewith resubmitting the following:
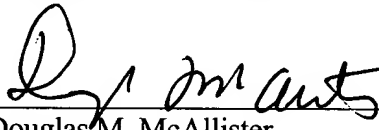
(1)   copy of postcard mailed April 26, 2004 and date stamped received April 28, 2004;

(2)   transmittal letter which certifies that the Amendment was mailed on April 26, 2004;

(3)   Amendment – 26 pages – with certificate of mailing dated April 26, 2004;

(4)   Attachment to Amendment (English translation of Ikeda reference – patent no. 2000-155,733).

Also enclosed is a Declaration of Carol Prentice, who signed the Certificate of Mailing of the April 26, 2004 Amendment in response to the Office Action mailed January 29, 2004, and deposited the papers in the U.S. Mail, attesting on a personal knowledge that the documents were previously timely mailed.

In view of the above, Applicants respectfully request that the Examiner enter the attached Amendment effective as of April 26, 2004. It is believed that no fee is due, as the Amendment was initially timely filed, as confirmed on the enclosed return receipt postcard. In addition, when calling the Group Receptionist on three separate occasions, the receptionist confirmed that the Amendment had been received by the U.S. Patent and Trademark Office and logged in on the U.S. Patent and Trademark Office system.

If there are any questions, or any further information is needed, the Examiner is invited to telephone Applicants' undersigned attorney.

Respectfully submitted,

Douglas M. McAllister
Attorney for Applicant(s)
Registration No. 37,886
Lipsitz & McAllister, LLC
755 Main Street, Bldg. No. 8
Monroe, CT 06468
(203) 459-0200

Date: January 24, 2005
ATTORNEY DOCKET NO.: MGI-177

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Keeney, et al.   ) Examiner: D. Tran
)
Application No.: 09/688,475   ) Art Unit: 2624
)
Filed: October 16, 2000   )
)
For: SPOOLING SERVER APPARATUS AND METHODS   )
        FOR RECEIVING, STORING AND FORWARDING A   )
        PRINT JOB OVER A NETWORK   )

DECLARATION OF CAROL PRENTICE

I, Carol Prentice, hereby state as follows:

1.   I am an employee of the Law Office of Lipsitz & McAllister, LLC, where one of my responsibilities is processing the mail.

2.   I have today reviewed our file for the above-referenced U.S. patent application.

3.   As indicated in our file, on April 26, 2004, I mailed an Amendment in response to the Office Action mailed January 29, 2004, together with attached English translation of Ikeda reference no. 2000-155,733, as discussed in the Amendment, to the U.S. Patent and Trademark Office in the above-identified patent application. The documents mailed were accompanied by a transmittal letter and a return receipt postcard.

4.   The Amendment contained a certificate of mailing bearing my signature. From this, I am certain that I deposited these documents as first-class mail on April 26, 2004. Our office procedure, which I always follow, is for me to review all papers to be mailed to the U.S. Patent and

Trademark Office to make sure every paper listed on the postcard is enclosed in an envelope, and posted as first-class mail or Express Mail, as required. At the end of the day, I either hand deliver all of our outgoing mail to the Post Office, or deposit it in the mailbox at our office complex.

5.   All of the above facts are based on my personal knowledge.

I hereby certify that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Carol Prentice   _Jan. 24, 2005_
Carol Prentice   Date

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: Please acknowledge receipt of the following
papers by stamping and returning this card.

Attorney Docket No.: MGI-177
Applicant(s): Keeney, et al.
Application No.: 09/688,475
Filed: October 16, 2000
For: SPOOLING SERVER APPARATUS AND METHODS FOR
RECEIVING, STORING AND FORWARDING A PRINT JOB OVER
A NETWORK

[X]   Transmittal Letter
[X]   Amendment (26 pages plus attachment)

Attorney: Douglas M. McAllister

Mailed: April 26, 2004